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Attorneys for Financial Industry

Regulatory Authority, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

IN THE MATTER OF THE

PEE PEE POP TRUST, PEE PEE POP
TRUST II, PEE PEE POP TRUST III, MAN
CUB TRUST, MAN CUB TRUST II, MAN
CUB TRUST III, DATED JULY 22, 2013.

Case No.: 3:19-cv-00240-MMD-CBC

STATEMENT REGARDING REMOVAL

Pursuant to this Court's Minute Order dated May 13, 2018 (Doc. 5), Financial Industry Regulatory Authority, Inc. ("FINRA") hereby submits its statement regarding removal.

1. FINRA's statutory agent was served with a copy of the Petition to Assume Jurisdiction (Doc. 1-1) (the "Complaint") on May 3, 2019.

2. To the best of FINRA's knowledge, no summons was issued or served on FINRA.

3. Removal is based on 15 U.S.C. § 78aa, which provides that “[t]he district courts of the United States . . . shall have exclusive jurisdiction of violations of [the Securities Exchange Act of 1934 (the “Exchange Act”)] or the rules and regulations thereunder, and of all suits in equity and actions at law brought to enforce any liability or duty created by [the Exchange Act] or the rules and regulations thereunder.” *See* 15 U.S.C. § 78aa(a). Removal is also warranted on diversity grounds. Defendant FINRA is not a citizen of Nevada. Rather, FINRA is a Delaware corporation that has its principal place of business in Washington, D.C. All plaintiffs are trusts domiciled in Nevada. [*See* Complaint (Doc. 1-1) at ¶ 2.] The amount in controversy exceeds \$75,000 because plaintiffs allege that failure to enjoin FINRA will result in a “total loss of their business[es],” which, upon information and belief, are valued at significantly more than \$75,000. [*See id.* at ¶ 18.]

4. FINRA’s Notice of Removal was filed less than 30 days after it first received a copy of the Complaint.

5. FINRA’s Notice of Removal was filed less than one year after the state court action was commenced.

6. FINRA knows of no defendant other than itself.

RESPECTFULLY SUBMITTED this 28th day of May, 2019.

LEACH KERN GRUCHOW ANDERSON SONG

/s/ Sean L. Anderson

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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), the undersigned, an employee of LEACH KERN GRUCHOW ANDERSON SONG, hereby certifies that on the 28th day of May, 2019, a copy of the foregoing, **STATEMENT REGARDING REMOVAL** was electronically filed with the Clerk of the Court for the United States District Court by using the Court's EM/ECF system and served through the Court's Notice of electronic filing system automatically generated to those parties registered on the Court's Master E-Service List as follows:

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